

Entered - 08/15/03 - sb  
CL - 03L0665 LISA CARTER

CLAIM OF: JACQUELINE NEWSON  
3060 Rebecca Drive, SW  
Atlanta, Georgia 30311

04- R-0007

For damages alleged to have been sustained during a sanitation pick up on August 4, 2003 at 3060 Rebecca Drive, SW.

THIS ADVERSED REPORT IS APPROVED

BY: \_\_\_\_\_

  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

JAN 20 2004

ADVERSED

JAN 20 2004

**CERTIFIED**  
JAN 20 2004  
*Renee Dunbar Johnson*  
MUNICIPAL CLERK

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: \_\_\_\_\_

CHAIR: \_\_\_\_\_

*C. Tom Marlin*

*Hugh Spivey*

*Carla Smith*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

January 21, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Jacqueline Newson  
3060 Rebecca Dr., SW  
Atlanta, GA 30311

04-R-0007

Dear Ms. Newson:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 20, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0665

Date: January 2, 2004

Claimant /Victim JACQUELINE NEWSON

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 3060 Rebecca Drive, SW

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 50.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 08/14/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 08/04/03 Place: 3060 Rebecca Drive, SW

Department Public Works Bureau: Solid Waste Services Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that her satellite dish was destroyed by a city employee during a routine sanitation pick up. However, an investigation determined that there is not sufficient evidence prove the allegations made by the claimant.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other X

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

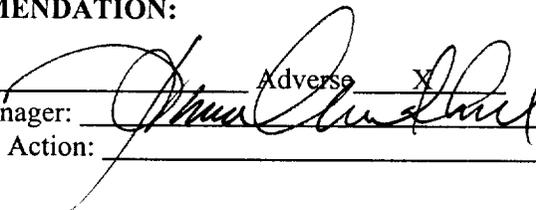
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 12/30/03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 5345  
1/20/04  
1:36 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-7 EXCEPT: 03-O-1954  
03-O-2109  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	B Boazman	NV Woolard

CONSENT I

<b>1-20-4 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 04-O-0050	22. 04-R-0007
2. 04-O-0042	23. 04-R-0008
3. 03-O-2170	24. 04-R-0009
4. 03-O-1185	25. 04-R-0010
5. 03-O-2179	26. 04-R-0011
6. 03-O-0318	27. 04-R-0012
7. 04-R-0046	28. 04-R-0013
8. 04-R-0054	29. 04-R-0014
9. 04-R-0063	30. 04-R-0015
10. 04-R-0064	31. 04-R-0016
11. 04-R-0065	32. 04-R-0017
12. 03-R-0034	33. 04-R-0018
13. 03-R-2216	34. 04-R-0019
14. 04-R-0036	35. 04-R-0020
15. 04-R-0038	<b>36.</b> 04-R-0021
16. 04-R-0001	37. 04-R-0022
17. 04-R-0002	38. 04-R-0023
18. 04-R-0003	39. 04-R-0024
19. 04-R-0004	40. 04-R-0025
20. 04-R-0005	41. 04-R-0026
21. 04-R-0006	42. 04-R-0027
	43. 04-R-0028
	44. 04-R-0029